La. Fugitive Free

Robert Apablaza, the fugitive from Louisiana who faced 50 years at hard labor for selling $5 worth of marijuana, is going to be set free.

According to a spokesman for Rockefeller, Gov. John McKeithen of Louisiana has dropped his request for extradition of Apablaza, ending 20 months of waiting in the Queens house of Detention for the 35-yearold fugitive.

Rockefeller, who had termed the extradition request "legally sufficient," received a letter dated Nov. 12 from McKeithen, which read:

"By virtue of the authority vested in me, by law, and with the approval of the district attorney of Orleans Parish, I hereby recall my request for extradition of Robert Apablaza to the state of Louisiana, dated March 16, 1970."

It was believed that secret negotiations between Orleans DA Jim Garrison and District Attorney Hogan had been responsible for McKeithen's decision.

The Rockefeller spokesman said the Governor had answered McKeithen yesterday by saying that, assuming there were no other holds on Apablaza, he would be set free.

Apablaza, born and raised in Brooklyn and a former student at Hamilton HS, was arrested March 12, 1967, when two detectives forced their way in his New Orleans apartment, where he lived with his wife and two daughters.

He was held in jail for 21 months before his trial and convicted on a 10-2 jury vote.

He escaped and fled here but was captured by the FBI on Feb. 9, 1970.

Since that time, with the help of the Legal Aid Society, he has fought Louisiana's attempts to extradite him.